



2019 ASSEMBLY BILL 240

May 24, 2019 - Introduced by Representatives SNYDER, SUBECK, CONSIDINE, EMERSON, KULP, NEYLON, SKOWRONSKI, SPREITZER, C. TAYLOR, THIESFELDT and TUSLER, cosponsored by Senators PETROWSKI and CARPENTER. Referred to Committee on Consumer Protection.

1 **AN ACT** *to create* 97.31 of the statutes; **relating to:** requiring food allergy
2 posters to be displayed in certain retail food establishments.

Analysis by the Legislative Reference Bureau

This bill requires restaurants and certain other retail food establishments to display, in a place frequented by employees, an educational poster relating to food allergies. The poster must be in a language the employees understand and must identify or describe: the eight most common food allergens; sources of cross contamination; what to do if a customer notifies an employee that someone in their party has a food allergy; and what to do if a person is having an allergic reaction.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 97.31 of the statutes is created to read:
4 **97.31 Food allergy educational posters.** (1) Except as provided under sub.
5 (2), a retail food establishment, as defined under s. 97.30 (1) (c), shall conspicuously
6 display, in a location within the establishment that is frequented by employees, an

ASSEMBLY BILL 240**SECTION 1**

1 educational poster that provides information about food allergies. The poster shall
2 be in a language or languages understandable to all employees at the establishment
3 and shall include all of the following:

4 (a) A list of the most common food allergens, which shall include peanuts, tree
5 nuts, fish, shellfish, eggs, milk, wheat, and soy.

6 (b) A list of common sources of cross contamination, and a description of what
7 to do if certain tools, utensils, or appliances come into contact with food allergens.

8 (c) A description of what an employee should do if notified that a customer or
9 a person in a customer's party has a food allergy, including referring the information
10 to the chef or manager; reviewing the food allergy with the customer and checking
11 ingredient labels; remembering to check the preparation procedure for potential
12 cross contamination; and responding to the customer to keep them informed of what
13 actions the employee is taking.

14 (d) A description of what to do if a customer has an allergic reaction, including
15 dialing the telephone number "911" and notifying a manager.

16 **(2)** The requirement under sub. (1) does not apply to any of the following:

17 (a) A micro market.

18 (b) A concession stand at a locally sponsored sporting event, such as a little
19 league game.

20 **SECTION 2. Effective date.**

21 (1) This act takes effect on the first day of the 13th month beginning after
22 publication.

23 (END)